REMARKS

Claims 1-18 are in this application and are presented for consideration. By this Amendment, Applicant has amended claims 3, 12 and 13. Applicant has also added new claims 16-18.

Claim 12 has been objected to because of a minor informality.

Applicant has amended claim 12 to address this matter. Applicant wishes to thank the Examiner for the helpful suggestion.

Claims 3-11, 13 and 15 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicant has amended claims 3 and 13 paying close attention to the Examiner's remarks. Applicant wishes to thank the Examiner for the careful review of the claims. It is Applicant's position that the claims as now presented are clear and satisfy the requirements of the statute.

Claims 12 and 13 have been rejected under 35 U.S.C. 102(b) as being anticipated by Yuyama et al. (U.S. 5,832,693).

The present invention relates to a method and a device for commissioning articles. In the present invention, a plurality of central belt articles and a plurality of sensitive articles are provided. Each central belt article is transported on a central belt of a central belt commissioning device. Each sensitive article is not transported along the central belt with the central belt articles since the sensitive articles are too heavy, too large or too fragile to be

transported along the central belt. The central belt articles, i.e. the articles which are not too large or too heavy or fragile, are placed on the central belt and are transferred along the belt. In the present invention, containers are arranged on a commissioning path defined by a first conveying track associated with a first shelving unit and a second conveying track associated with a second shelving unit. The containers are filled with one or more sensitive article from at least one of the shelving units and are transferred either to the dispatch station or to the central belt. When the sensitive articles are transferred to the central belt, the central belt articles on the central belt are transferred into the containers that are filled with one or more sensitive articles to provide a mixture of central belt articles and sensitive articles. If the containers with the sensitive articles are transported directly to the dispatch station, the central belt articles are transferred into their own container located at the end of the central belt. This advantageously allows for one container to be used to commission the two different types of articles. This results in a higher commission output since the handling of multiple containers is eliminated. The prior art as a whole fails to provide such features or advantages.

Yuyama et al. discloses an apparatus for collecting ampules. Trays T are raised one by one to a predetermined height by an elevator means 20. The elevator means 20 has a short conveyor 21. The trays T are then fed horizontally by a horizontal conveyor means 30 and then fed by a downward conveyor means 20' along feeders 60 arranged in vertical rows. The trays T are then fed to a predetermined position by a carrier unit 40 and stacked one on top of another by a tray stacker 50 at the delivery end of the carrier unit 40. Along the tray feed path of the carrier unit 40 is provided a printer 70 for preparing lists on necessary drugs based on

prescriptions and putting them in respective trays T being fed on the conveyor. Ampules that cannot be prepared by the conveyor line are obtained from ampule keeping boxes B set in a pharmacy shelf 80.

Yuyama et al. fails to teach and fails to suggest the combination of a commissioning path defined by one conveying track located on one side of a central belt and associated with one shelving unit and another conveying track located on another side of the central belt and associated with another shelving unit as claimed. Compared with the present invention, Yuyama et al. only discloses a horizontal conveyor means 30 and a carrier unit 40 that are not associated with any shelving unit. The horizontal conveyor means 30 of Yuyama et al. merely is associated with an elevator means 20 that delivers trays thereto. The horizontal conveyor means 30 of Yuyama et al. fails to be associated with any form of shelving unit as claimed. The carrier unit 40 of Yuyama et al. is only associated with a downward conveyor means 20' for receiving trays and a short conveyor belt 51 so that the trays are transferred from the conveyor means 20' to the short conveyor belt 51. In fact, the carrier unit 40 and the horizontal conveyor means 30 of Yuyama et al. are not on opposite sides of the central belt as claimed. Figure 1 of Yuyama et al. clearly shows that the carrier unit 40 and the horizontal conveyor means 30 are on the right side of the short conveyor 21. In contrast to Yuyama et al., the conveyor tracks defining the commissioning path of the present invention are each located on opposite sides of the central belt so that articles can be transferred directly from the shelving units by the conveyor tracks. Yuyama et al. does not teach such features as the horizontal conveyor means 30 and the carrier unit 40 are located on the same side, i.e. the right side, of the short conveyor

21. As such, the prior art as a whole fails to provide any teaching or suggestion that would direct one of ordinary skill in the art towards the claimed combination of features.

Yuyama et al. also fails to provide any suggestion or teaching for the combination of a central belt positioned within an aisle defined by two shelving units as claimed. As clearly shown in Figure 1 of Yuyama et al., the short conveyor 21 is not provided between any shelving units as claimed. In contrast to Yuyama et al., the central belt is provided within an aisle defined by two shelving units. According to the present invention, sensitive articles that are too large or too fragile to be transported on the central belt are placed onto containers of a commissioning path that is defined by two conveyor tracks from at least one of the shelving units. The large articles can then be transported directly to a discharge station or to the central belt so that central belt articles transferred from the central belt can be combined with the sensitive articles taken from at least one of the shelving units. This advantageously results in a higher commission output since the handling of multiple containers is eliminated as a result of one container being used to commission the two different types of articles. Yuyama et al. does not disclose such efficiency commissioning advantages since the short conveyor 21 of Yuyama et al. is not located between shelving units as claimed. As such the prior art as a whole does not teach each feature of the claimed combination. Accordingly, Applicant respectfully requests that the Examiner favorably consider claim 12 as now presented.

Applicant has added new dependent claims 16-18 to clarify the features of the invention. New dependent claims 16-18 further define the arrangement of the conveying tracks and the shelving units. Applicant respectfully requests that the Examiner favorably consider new claims

16-18.

Favorable consideration on the merits is requested.

Respectfully submitted
for Applicant,

By:_____
John James McGlew
Registration No. 31,903
McGLEW AND TUTTLE, P.C.

- and -

By:_____
Brian M. Duncan
Registration No. 58,505
McGLEW AND TUTTLE, P.C.

JJM:BMD
71595RCE-1

DATED: April 18, 2008
BOX 9227 SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-9227
(914) 941-5600

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